

REMARKS

I. STATUS OF THE CLAIMS

Claims 32-33 and claims 37-39 are canceled herein.

The Office Action indicates that claims 1-16, 34-36 and 43-65 are allowed.

The Office Action indicates that claim 22 is objected to as being dependent upon a rejected based claim, but would be allowable is amended to be in independent form. Therefore, claim 22 is amended to be in independent form, and should now be allowable. Accordingly, it is respectfully submitted that claims 23-28 should now be allowable, as these claims are dependent from the amended claim 22.

In view of the above, it is respectfully submitted that claims 1-31, 34-36 and 43-65 are currently pending.

II. UNACKNOWLEDGED INFORMATION DISCLOSURE STATEMENTS

The Examiner has not yet acknowledged the IDS filed March 1, 2002, or the IDS filed February 11, 2003.

In view of the above, it is respectfully requested that the Examiner acknowledge the IDSs.

III REJECTION OF CLAIMS 17, 19 AND 21 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY ITO

Claim 17 recites a non-contact position sensor including a first stator having first and second magnet facing sides, and a second stator having a magnet facing side between the first and second magnet facing sides of the first stator and aligned with the first and second magnet facing sides of the first stator along a locus.

The Examiner correlates elements 14 and 15 of Ito to the "first stator" of claim 17, and correlates element 16 of Ito to the "second stator" of claim 17. See, for example, FIG. 7 of Ito.

However, it is respectfully submitted that magnet facing sides (presumably, the end portions) of elements 14, 15 and 16 are not aligned along a locus, as recited, for example, in claim 17.

FIG. 7 of Ito also shows a magnet 13 positioned with respect to ends of elements 14, 15 and 16. As indicated in column 4, lines 62-66, of Ito, magnet 13 moves towards the ends of elements 14 and 15. Magnet does NOT move along a locus as in various embodiments of the

present invention.

To more clearly distinguish over Ito, claim 17 is amended herein to recite "the locus being a path along which at least one magnet of the non-contact position sensor is movable".

Claim 17 now recites a magnet facing side of the second stator being between the first and second magnet facing sides of the first stator and aligned with the first and second magnet facing sides of the first stator along a locus, and that the locus is a path along which at least one magnet of the non-contact position sensor is movable. Therefore, it is respectfully submitted that claim 17 is now clearly allowable over Ito.

As rejected claims 19 and 21 are dependent from claim 17, it is respectfully submitted that these claims are patentable over Ito for at least the reasons described above for claim 17.

Claims 18, 20 and 29-31 were withdrawn from consideration. However, as these claims are dependent from claim 17, it is respectfully submitted that these claims should now be allowable.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

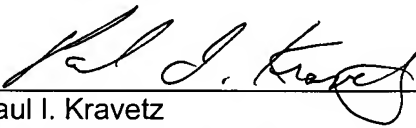
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: December 2, 2003

By: 
Paul I. Kravetz
Registration No. 35,230

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501